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TO:	FROM:
Examiner Thomas Bomar	Henry C. Query, Jr.
COMPANY:	DATE:
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SUBJECT:	
U.S. Patent Application No. 09/932,539	
Inventor(s): McIntosh	
Filed: 08/17/2001	
For: Multiple Bore Christmas Tree Outlet	
Attorney Docket No.: FMCE-P064	

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Dear Examiner Bomar:

Enclosed in connection with the above-referenced application is a Response to Office Action, which is responsive to the Office Action dated June 15, 2005.

Sincerely,


Henry C. Query, Jr.Certificate of Facsimile Transmission Under 37 CFR 1.8

I hereby certify that this correspondence, consisting of 7 total pages, is being facsimile transmitted to the U.S. Patent and Trademark Office on September 15, 2005.


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Attorney Docket No.: FMCE-P064

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: McIntosh)

Serial No.: 09/932,539)

Group Art Unit: 3672

Filed: 08/17/2001)

Examiner: B. Halford

For: MULTIPLE BORE CHRISTMAS
TREE OUTLET)Henry C. Query, Jr.
504 S. Pierce Ave.
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CENTRAL FAX CENTER
SEP 15 2005Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Response to Office Action

This communication is responsive to the Office Action dated June 15, 2005.

Reconsideration of the above-identified application is respectfully requested.

Claims 1 and 2 stand rejected under 35 U.S.C. 102(b) as being anticipated by Petersen (U.S. Patent No. 3,604,731). In the Examiner's opinion, Petersen discloses a christmas tree which comprises a vertical production bore 24, a first production outlet 28 which includes a first end that is connected to the production bore and a second end 29 that extends away from the production bore, and second and third production outlets 49 which each extend from the second end, wherein in the normal production mode, fluid flowing through the production outlet is produced through any of the second or third production

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outlets 49 or through both of these outlets simultaneously. However, this interpretation of Petersen is incorrect.

With respect to claim 1, Petersen clearly does not disclose second and third production outlets which each extend from the second end of a first production outlet. Even assuming that Petersen's flowline 28 is a first production outlet and that this production outlet comprises a first end which is connected to a production bore and a second end 29 which extends away from the production bore, the second end 29 is not connected to second and third production outlets. In this regard, the Examiner asserts that the through bores 49 in the pulling head 39 are second and third production outlets which are both connected to the second end 29 of the flowline 28. As shown in Figure 6, however, both through bores 49 are not connected to a single flowline 28. Rather, each through bore 49 is connected to a single corresponding flowline 28. Consequently, fluid flowing through one flowline 28 can only be produced through one through bore 49, not both.

Therefore, Petersen does not anticipate claim 1. Furthermore, since claim 2 depends from claim 1, Petersen does not anticipate claim 2 for the reasons stated above.

Claims 1 and 7 stand rejected under 35 U.S.C. 102(b) as being anticipated by Knight (U.S. Patent No. 6,196,310). In the Examiner's opinion, Knight discloses a christmas tree which comprises a vertical production bore 31, a first production outlet (the top horizontal portion of bore 31) which comprises a first end that is connected to the production bore and a second end that extends

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away from the production bore, and second and third production outlets 33, 35 or 92 which each extend from the second end, wherein in the normal production mode, fluid flowing through the production outlet is produced through any of the second or third production outlets or through both of these outlets simultaneously. However, as with Petersen, the Examiner's interpretation of Knight is incorrect.

With respect to claim 1, Knight clearly does not disclose second and third production outlets which each extend from the second end of a first production outlet. Even assuming that the top horizontal portion of conduit 31 is a first production outlet and the conduits 33, 35 and 92 are second, third and fourth production outlets, these latter production outlets do not extend from the first production outlet. Rather, they extend from an oil, gas and water separator 28.

Furthermore, even assuming *arguendo* that the second, third and fourth conduits 33, 35 and 92 each "extend from" the upper horizontal portion of conduit 31, Knight does not disclose that the fluid which flows through the conduit 31 is produced through any one of the conduits 33, 35 and 92 or through all of these conduits simultaneously. In this regard, the specification is clear that the term "fluid" is a homogeneous substance, not the individual constituent parts of a single substance. Thus, in accordance with applicant's invention this "fluid" may be produced through any or both of the second and third production outlets without regard to its constituent parts. In contrast, each of Knight's conduits 33, 35 and 92 is dedicated to a single constituent part of the fluid which flows through the conduit 31: the conduit 33 is for oil, the conduit 35 is for salt water

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and the conduit 92 is for gas (column 3, line 62 through column 4, line 12).

Therefore, the fluid flowing through the first production outlet 31 cannot be produced through any or all of the conduits 33, 35 and 92. Rather, the constituent parts of this fluid must be produced through separate conduits.

Therefore, claim 1 is clearly not anticipated by Knight. Furthermore, since claim 7 depends from claim 1, claim 7 is not anticipated by Knight for the reasons stated above.

Claims 4 and 5 stand rejected under 35 U.S.C. 103(a) as being obvious over Petersen. However, these claims depend from claim 1. Therefore, to the extent that this rejection is based on the Examiner's belief that claim 1 is anticipated by Petersen, claims 4 and 5 are clearly unobvious over Petersen for the reasons stated above.

Claims 2, 4 and 5 stand rejected under 35 U.S.C. 103(a) as being obvious over Knight. However, these claims depend from claim 1. Therefore, to the extent that this rejection is based on the Examiner's belief that claim 1 is anticipated by Knight, claims 2, 4 and 5 are clearly unobvious over Knight for the reasons stated above.

Claims 6-13 stand rejected under 35 U.S.C. 103(a) as being obvious over Petersen in view of Hopper et al. (U.S. Patent No. 5,544,707). However, claims 6 and 7 depend from claim 1. Therefore, to the extent that this rejection is based on the Examiner's belief that claim 1 is anticipated by Petersen, claims 6 and 7 are patentable over any permissible combination of Petersen and Hopper for the reasons stated above.

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With regard to claim 8, neither Petersen nor Hopper discloses a tree which comprises multiple production outlets which are each connected to a single production bore. As discussed above, even assuming that Petersen discloses multiple outlets 28, Petersen does not disclose that these outlets are connected to a common production bore. In fact, since the second end 29 of each outlet 28 must be properly oriented with a specific through bore 49 (see column 4, lines 15-20), one can reasonable assume that the outlets 28 are not connected to a common production bore. If all the outlets 28 were connected to the same production bore, then this complicated orientation step would presumably not be necessary.

Therefore, claim 8 is patentable over any permissible combination of Petersen and Hopper. Furthermore, since claims 9-13 depend from claim 8, these claims are also patentable over Peterson and Hopper for the reasons stated above.

Claims 6 and 8-13 stand rejected under 35 U.S.C. 103(a) as being obvious over Knight in view of Hopper. However, claim 6 depends from claim 1. Therefore, to the extent that this rejection is based on the Examiner's belief that claim 1 is anticipated by Knight, claim 6 is patentable over any permissible combination of Knight and Hopper for the reasons stated above.

With regard to claim 8, neither Knight nor Hopper discloses a tree which comprises multiple production outlets that are each connected to a single production bore. As discussed above, even assuming that Knight's conduits 33, 35 and 92 can be considered production outlets, these conduits are not

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connected to the production bore 31. Rather, they are connected to a gas, oil and water separator 28.

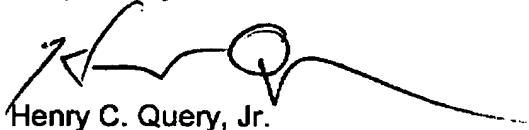
Therefore, claim 8 is patentable over any permissible combination of Knight and Hopper. Furthermore, since claims 9-13 depend from claim 8, these claims are also patentable over Knight and Hopper for the reasons stated above.

The prior art made of record but not relied upon has been considered but is not believed to be pertinent to the patentability of the instant claims.

In light of the foregoing, claims 1, 2 and 4-13 are submitted as allowable.

Favorable action is solicited.

Respectfully submitted,



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Date: September 15, 2005